

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ACCENT DELIGHT INTERNATIONAL  
LTD.,

Plaintiff,

-against-

SOTHEBY'S and SOTHEBY'S, INC.,

Defendants.

Case No. 18-cv-09011 (JMF)

~~PROPOSED~~ JUDGMENT

**WHEREAS**, on June 14, 2021, the Court issued an Opinion and Order granting summary judgment to Plaintiffs Xitrans Finance Ltd. and Accent Delight International Ltd. (“Plaintiffs”) on their breach of contract claim, but denied Plaintiffs’ request for compensatory damages and awarded each Plaintiff nominal damages of \$1.00 (one dollar);

**WHEREAS**, on March 1, 2023, the Court issued an Opinion and Order granting summary judgment to Defendants Sotheby’s and Sotheby’s, Inc. (“Defendants”) (1) dismissing all of Plaintiffs’ claims for aiding and abetting a breach of fiduciary duty other than their claim with respect to Leonardo da Vinci’s *Salvator Mundi*, and (2) dismissing Plaintiff’s claims for aiding and abetting fraud with respect to Picasso’s *Homme Assis au Verre*, Aristide Maillol’s *La Méditerranée*, Auguste Rodin’s *Le Baiser*, Henri Matisse’s *Nu au Châle Vert*, Rodin’s *L’Éternel Printemps*, Alberto Giacometti’s *Femme de Venise IX*, Rodin’s *Eve*, Henri de Toulouse-Lautrec’s *Green Au Lit: Le Baiser*, Modigliani’s *Nu Couché au Coussin Bleu*, Paul Gauguin’s *Otaï Seule*, and Toulouse-Lautrec’s *Red Au Lit: Le Baiser*;

**WHEREAS**, on August 3, 2023, Plaintiff Xitrans Finance Ltd. was dismissed from this action with prejudice;

**WHEREAS**, a Jury Trial of all remaining claims commenced before the Court on January 8, 2024;

**WHEREAS**, on January 26, 2024, Plaintiff Accent Delight International Ltd. withdrew its aiding and abetting fraud claim with respect to the auction of Modigliani's *Tête* and the Court dismissed that claim;

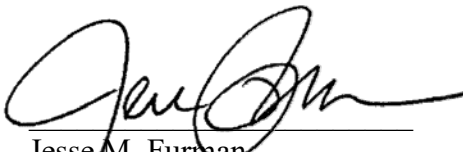
**WHEREAS**, on January 26, 2024, the Court granted judgment in favor of Defendants on the aiding and abetting a breach of fiduciary duty claim with respect to Leonardo da Vinci's *Salvator Mundi*, pursuant to Rule 50(a) of the Federal Rules of Civil Procedure;

**WHEREAS**, on January 30, 2024, the jury returned a verdict finding that Defendants are not liable on any of the remaining claims in the case, specifically the aiding and abetting fraud claims with respect to Plaintiff's purchases of Rene Magritte's *Domaine d'Arnheim*, Amedeo Modigliani's *Tête*, Gustav Klimt's *Wasserschlangen II*, and Leonardo da Vinci's *Salvator Mundi*,

It is hereby **ORDERED, ADJUDGED, AND DECREED** that Plaintiffs Xitrans Finance Ltd. and Accent Delight International Ltd. be each awarded \$1.00 in damages for their breach of contract claim and that all other claims asserted in this action be dismissed with prejudice.

The Clerk of Court is directed to close this case.

Dated: February 1, 2024  
New York, New York



Jesse M. Furman  
United States District Judge